

PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS
VETO SESSION, NOVEMBER 14, 2016

Pursuant to Section 19.84 and 59.14, Wis. Stats., notice is hereby given to the public that the Veto Session of the **BROWN COUNTY BOARD OF SUPERVISORS** was held on **Monday, November 14, 2016 at 6:00 p.m.**, in the Legislative Room 203, 100 North Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order at 6:00pm

Invocation.

Pledge of Allegiance.

Opening Roll Call:

Present: Sieber, De Wane, Hoyer, Lefebvre, Erickson, Zima, Evans, Vander Leest, Buckley, Landwehr, Dantine, Brusky, Ballard, Kaster, Van Dyck, Linssen, Kneiszel, Clancy, Campbell, Moynihan, Blom, Schadewald, Lund

Excused: Nicholson, Gruszynski, Becker

Total Present: 23 Total Excused: 3

No. 1 -- ADOPTION OF AGENDA.

A motion was made by Supervisor Sieber and seconded by Supervisor De Wane **“to approve agenda”**. Voice vote taken. Motion carried.

No. 2 -- COMMENTS FROM THE PUBLIC:

- a) State name and address for the record.
- b) Comments will be limited to five minutes.
- c) The Board's role is to listen and not discuss comments nor take action on those comments at this meeting.

Jody Lemmens, 5072 Verone Ct., New Franken, WI, a 17-year veteran of the Brown County Sheriff's Department spoke to the Board about the banked sick-leave/insurance portion of the County Executive's veto.

DJ Fameree, 5930 Vanir Ct., New Franken, WI, thanked the Board for their hard work on the budget and asked that they vote to override the County Executive's veto of the banked sick-leave/insurance for retirees.

Renee Vande Voort, 3083 Celestial Lane, Green Bay, WI, spoke on behalf of the Benefits Advisory Committee regarding the \$400 wage increase for employees and the banked sick-leave/insurance for retirees.

Jim Dagneau, 125 Traders Point Ln, Green Bay, WI, a 25-year veteran of the Brown County Sheriff's Department, addressed the Board about the banked sick-leave/insurance for retirees.

Marty Adams, 1848 Mill Road, Greenleaf, WI, addressed the Board regarding the pay increase for employees and overriding the County Executive's veto on the \$400 increase in employee's wages. Mr. Adams also spoke to the Board about the move of the Health Department to the Sophie Beaumont Building.

Gregg Haney, 2277 J. Edward Ct., Suamico, WI, a retired Sergeant from the Brown County Sheriff's Department, spoke to the Board about the banked sick-leave/insurance for retirees.

Keith Deneys, 4135 Cth C, Pulaski, WI, a Captain at the Brown County Sheriff Department and Chairman of the Town of Pittsfield, spoke to the Board about the banked sick-leave/insurance for retirees and the raise for employees.

David Poteat, 3256 Libal Street, Allouez, WI, with the Brown County Sheriff's Department, spoke to the Board about the banked sick-leave/insurance for retirees and \$400 wage increase for employees and requested the Board override the County Executive's veto of these items.

Ted Sieber, 708 Eau Claire Pl, DePere, WI, a Sheriff Department employee, addressed the Board about the banked sick-leave/insurance for retirees and requested the Board override the County Executive's veto.

Marty Adams, 1848 Mill Rd, Greenleaf, WI, addressed the Board about a survey done on him two years ago and that he still has not received the information he requested in June from that survey. Mr. Adams stated he requested this information via the Freedom of Information Act from Director of Administration Chad Weininger.

****VETO SESSION from November 2, 2016 Budget Session of the County Board meeting.**
(See County Executive Streckenbach's veto letter at the end of the minutes.)**

No. 3 -- See Veto Item #11d, Resolutions and Ordinances: Ordinance to Amend Section 4.57 of the Brown County Code of Ordinances Entitled "Policy"

A motion was made by Supervisor Erickson and seconded by Supervisor Schadewald **"to override the County Executive's veto"**. Roll call vote taken.

Roll Call Vote:

Ayes: Sieber, De Wane, Hoyer, Lefebvre, Erickson, Zima, Evans, Landwehr, Dantine, Brusky, Ballard, Linssen, Kneiszel, Clancy, Campbell, Moynihan, Schadewald, Lund

Nayes: Vander Leest, Buckley, Kaster, Van Dyck, Blom

Absent: Nicholson, Gruszynski, Becker

Total Ayes: 18 Total Nayes: 5 Total Absent: 3

Motion carried.

ATTACHMENTS TO ITEM #3 ON THE FOLLOWING PAGES
(VETO ITEM #11d)

VETO ITEM #11d

November 2, 2016
(Proposed by Human Resources)

AN ORDINANCE TO AMEND SECTION 4.57 OF THE BROWN COUNTY CODE OF ORDINANCES ENTITLED "POLICY"

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF BROWN DOES
HEREBY ORDAIN AS FOLLOWS:

Section 1 – Subsection (1) of Section 4.57 of the Brown County Code of Ordinances is hereby amended as follows:

- (1) Each position is designated as either Non-exempt or Exempt from the Federal Fair Labor Standards Act and state wage and hour laws. Employees in non-exempt positions shall be compensated or receive compensatory time at a rate of one and one-half times normal pay for hours worked in excess of forty (40) hours in any work week. Non-exempt full-time employees that do not work on vacation days or holidays will have up to eight (8) hours of each said vacation day or holiday counted as hours worked in the computation of weekly overtime, but this does not apply to part-time or Limited Term Employees, nor does this apply to exempt employees. Non-exempt full-time employees that do work on vacation days or holidays will be subject to normal payroll rules. Pay for non-worked hours (vacation, casual, holiday, etc.) are not considered hours worked. Per FLSA, some exceptions to the 40 hours per week standard apply under special circumstances to sheriff and hospital and nursing home employees. All time worked is subject to rounding rules.

Section 2 – This Ordinance shall become effective on 01-01-2017, upon passage and publication pursuant to law.

Respectfully submitted,
HUMAN RESOURCES DEPARTMENT

Approved By:

TROY STRECKENBACH
COUNTY EXECUTIVE (Date)

Sharon L. Jew 11-2-16
COUNTY CLERK (Date)

Patricia May 11-02-16
COUNTY BOARD CHAIR (Date)

Approved by Corporation Counsel's Office

11/10/16
Refuse to sign
Veto

③
11d

Fiscal Impact: This Ordinance has a fiscal effect of \$277,000. The Executive Committee appropriated \$133,303 to the 2017 Budget which would require an additional appropriation of \$143,697 in the 2017 Budget.

TS 11/10/16

BOARD OF SUPERVISORS ROLL CALL

Voice Vote

Motion made by Supervisor

Erickson

Seconded by Supervisor

Sieber

SUPERVISORS	DIST.	AYES	NAYS	ABSTAIN	EXCUSED
SIEBER	1				
DE WAME	2				
NICHOLSON	3				
HOYER	4				
GRUSZYNSKI	5				
LEPERWIE	6				
ERICKSON	7				
ZIMA	8				
EVANS	9				
VANDER LEESE	10				
BUCKLEY	11				
LANDWEHR	12				
DAMTHINE, JR	13	✓			

Total Votes Cast

26

Motion:

Adopted ✓

Defeated

Tabled

SUPERVISORS	DIST.	AYES	NAYS	ABSTAIN	EXCUSED
BRUSKY	14				
BALLARD	15				
KASTER	16				
VAN DYCK	17				
LINSER	18				
KNETSZEL	19				
CLANCY	20				
CAMPBELL	21				
MOYNIHAN, JR.	22				
BLOM	23				
SCHADEWALD	24				
LUND	25				
BECKER	26	✓			

③

11d

No. 4 -- See partial Veto Item #14c, Resolutions and Ordinances: Resolution Approving New or Changes to Existing Employee Benefits During the 2017 Budget Process

No. 4a -- Page 4, paragraph 2

No. 4b -- Page 4, paragraph 6

No. 4c -- Budget Impact

Prior to any discussion on Items #4a, 4b and 4c, Chairman Moynihan advised the Board that these items cannot be voted on separately. The items are all within the resolution and must be voted on as all or nothing.

A legal explanation of this information was then given by David Hemery, Corporation Counsel. Corp Counsel stated the resolution stands on its own, not each section of it separately.

Following further discussion with Pete Bilski, Interim Human Resources Director, a motion was made by Supervisor Evans and seconded by Supervisor Hoyer **“to override the County Executive’s veto”**. Roll call vote taken.

Roll call vote:

Ayes: Sieber, De Wane, Hoyer, Lefebvre, Erickson, Zima, Evans, Vander Leest, Dantine, Brusky, Ballard, Van Dyck, Linssen, Clancy, Campbell, Moynihan, Schadewald, Lund

Nays: Buckley, Landwehr, Kaster, Kneiszel, Blom

Absent: Nicholson, Gruszynski, Becker

Total Ayes: 18 Total Nays: 5 Total Absent: 3

Motion carried.

ATTACHMENTS TO ITEM #4

ON THE FOLLOWING PAGES

(VETO ITEM #14c)

VETO ITEM #14c

(Updated by County Board of Supervisors on November 2, 2016)
(Revised at Admin Committee on October 5, 2016)
(Revised at Executive Committee on October 24, 2016)
(Updated by Human Resources on October 25, 2016)

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

RESOLUTION APPROVING NEW OR CHANGES TO EXISTING EMPLOYEE BENEFITS DURING THE 2017 BUDGET PROCESS

WHEREAS, the Brown County Executive submits a proposed budget to the Brown County Board of Supervisors for their consideration each year; and,

WHEREAS, this resolution reflects the changes to Brown County employee benefits contained in the 2017 budget.

NOW, THEREFORE, BE IT RESOLVED, by the Brown County Board of Supervisors, the following changes to the employee benefits requested through the 2017 budget process to be effective January 1, 2017; and,

BE IT FURTHER RESOLVED, premium contributions will be ~~17% for all covered employees,~~ weighted per the chart below for all covered employees. The premium rate will be based upon the individual Personal Health Assessment Score, subject to non-participants having the option to test prior to the benefit year starting; and,

Personal Health Assessment (PHA) Level and Points	Percent Paid of Total Cost	Coverage	Amount per Month
Non-Participant	25%	Single / Family	\$122.66 / \$326.40
Tobacco User	20%	Single / Family	\$98.12 / \$261.12
Standard (60 Points and below)	13%	Single / Family	\$63.78 / \$169.74
Bronze 61 – 70 Points	12%	Single / Family	\$58.88 / \$156.68
Silver 71 – 85 Points	11.5%	Single / Family	\$56.42 / \$150.14
Gold 86 – 100 Points	11%	Single / Family	\$53.96 / \$143.62

④
14c

~~BE IT FURTHER RESOLVED, the Health Reimbursement Account (HRA) contributions will be reduced by 50% for all covered employees. Contributions will continue to be based upon the Personal Health Assessment (PHA) result.~~

PHA Level and Points	HRA % County Contribution	County Contribution Amounts Single/Family
Non-Participant	0%	\$0
Tobacco User	20%	\$105 / \$210
Standard < 60 Points	40%	\$210 / \$420
Bronze 61 – 70 Points	60%	\$315 / \$630
Silver 71 – 85 Points	80%	\$420 / \$840
Gold 86 – 100 Points	100%	\$525 / \$1,050

~~BE IT FURTHER RESOLVED, employees wishing to improve their PHA Score will be outcome-based, requiring employees to retest to validate the change in their Points and Funding levels. Scores will be retroactive back to the beginning of the year, for both improvements, and declines in the new results.~~

BE IT FURTHER RESOLVED, employees wishing to improve their PHA Score will be outcome based, requiring employees to retest to validate the change in their points and premium levels. If employees think they are unable to meet a standard for a reward under this wellness program, they may qualify for an opportunity to earn the same reward by a different means Reasonable Alternative Standard (RAS). Improvements will be retroactive to the beginning of the year for the employee premium; and,

BE IT FURTHER RESOLVED, the Health Reimbursement Account (HRA) Contributions and HRA Wellness Contributions will be reduced by 100%; and,

~~BE IT FURTHER RESOLVED, HRA dollars may no longer be utilized for 213d eligible expenses. The HRA dollars may only be utilized to meet deductibles, co-insurance payments, and co-pays. HRA funds in excess of the single/family deductible on December 31 of the benefit year, will be forfeited and will no longer be rolled over into the following benefit year or into a VEBA.~~

4
14c

~~BE IT FURTHER RESOLVED, employees who terminate employment with Brown County will have 90 days to submit claims for services received prior to their termination date. After 90 days, funds will return to the county's General Health Fund.~~

BE IT FURTHER RESOLVED, employees who terminate employment with Brown County who have a HRA balance, will have 90 days to submit claims for services received prior to their termination date. After 90 days, unused balances will return to the county's General Health and Dental Fund. Employees who retire will continue to have two years to spend down their available balance; and,

~~BE IT FURTHER RESOLVED, the county's administrator for the Voluntary Employee Beneficiary Association (VEBA), will change from Brown County to the individual employee account holders. Employees who have a VEBA account will pay their own monthly administrative fees.~~

BE IT FURTHER RESOLVED, the payment of administration fees for the Voluntary Employee Beneficiary Association (VEBA), will change from Brown County to the individual employee account holders. Employees who have a VEBA account will pay their own monthly administrative fees through an automatic deduction from their account; and,

~~BE IT FURTHER RESOLVED, Long Term Disability Payments will reduce to 60% of a person's salary up to \$5,000 monthly, and will now end at the Social Security Normal Retirement Age (65).~~

BE IT FURTHER RESOLVED, Long Term Disability Payments will reduce to 60% of a person's salary up to \$5,000 monthly, and will now end at the individual's Social Security Normal Retirement Age; and,

~~BE IT FURTHER RESOLVED, retiree premiums will be increased to cover the loss that group has incurred from the prior year.~~

④
14e

BE IT FURTHER RESOLVED, retiree health insurance premiums will be increased to cover the projected loss for the retiree cost pool for the calendar year 2016; and,

*BE IT FURTHER RESOLVED, retiree health insurance premiums will be increased to cover the projected loss for the retiree cost pool for the calendar year 2016; ~~and the Human Resources Director will work out a policy to allow employees with banked sick time be reimbursed for credible insurance or paid out at time of retirement. This would take effect upon ratification.~~

11/10/16
To
veto

BE IT FURTHER RESOLVED, the county's third party administrator for Workman's Compensation claims will switch from Willis of Wisconsin to Wisconsin Municipal Mutual Insurance Company; and,

BE IT FURTHER RESOLVED, the county will switch its Pharmacy Plan Benefit Manager to RX Benefits Express Scripts; and,

~~BE IT FURTHER RESOLVED, all employees will receive a one percent (1%) performance based pay bonus.~~

BE IT FURTHER RESOLVED, employees will ~~be eligible~~ receive a one percent (1%) base wage salary adjustment as of January 1, 2017 ~~for up to a one percent (1%) performance based pay bonus to be paid out at the end of year, and, a (5400/2080 hours) for all~~ employees, excluding the attached list; and,

11/10/16
To
veto

BE IT FURTHER RESOLVED, the vendors named on the attached spreadsheet are the current vendors approved for the 2017 Benefits.

Budget Impact: The projected property tax levy impact on the proposed changes in the 2017 budget is an increase of \$686,969 for wages and benefits. Regarding allowing payout of sick bank payout at retirement, sufficient funds (including FICA taxes) are contained in Assigned General Fund equity.

11/10/16
To
\$108,784

Respectfully submitted,
ADMINISTRATION COMMITTEE &
EXECUTIVE COMMITTEE

(4)
Hc

*As Amended by Brown County Board of Supervisors, 11/02/2016.

Approved By:

TROY STRECKENBACH
COUNTY EXECUTIVE

Date Signed: _____

Authored by Human Resources

Approved by Corporation Counsel's Office

BOARD OF SUPERVISORS ROLL CALL # _____

Motion made by Supervisor _____

Seconded by Supervisor _____

SUPERVISORS	DIST. #	AYES	NAYS	ABSTAIN	EXCUSED
SIEBER	1				
DE WANE	2				
NICHOLSON	3				
HOYER	4				
GRUSZYNSKI	5				
LEFEBVRE	6				
BRICKSON	7				
ZEMA	8				
EVANS	9				
VANDER LEST	10				
BUCKLEY	11				
LANDWEHR	12				
SANTIANNE, JR.	13				

SUPERVISORS	DIST. #	AYES	NAYS	ABSTAIN	EXCUSED
BRUSKY	14				
BALLARD	15				
KASTER	16				
VAN DYCK	17				
LINSSEN	18				
KNEISZEL	19				
CLAWCY	20				
CAMPBELL	21				
MOYNIHAN, JR.	22				
BLOM	23				
SCHADEWALD	24				
LUND	25				
BECKER	26				

Total Votes Cast _____

Motion: Adopted _____ Defeated _____ Tabled _____

④
140

Approved By:

TROY STRECKENBACH
COUNTY EXECUTIVE

Date Signed: _____

Authored by Human Resources

Approved by Corporation Counsel's Office

BOARD OF SUPERVISORS ROLL CALL # _____

14c-4

Motion made by Supervisor

Sieber

Seconded by Supervisor

DeWane

SUPERVISORS	DIST. #	AYES	NAYS	ABSTAIN	EXCUSED
SIEBER	1	↓			
DE WANE	2				
NICHOLSON	3	↓			
HOVER	4	↓			
GRUSZYNSKI	5		✓		
LEFEBVRE	6	↓			
ERICKSON	7	↓			
ZIMA	8	↓			
EVANS	9	↓			
VANDER LEST	10	↓			
BUCKLEY	11	↓			
LANDWEHR	12	↓	✓		
DANTJINNE, JR.	13	↓	✓		

SUPERVISORS	DIST. #	AY	NAYS	ABSTAIN	EXCUSED
BRUSKY	14	✓			
BALLARD	15	✓			
KASTER	16		✓		
VAN DYCK	17		✓		
LINSSEN	18	✓			
KNETSZEL	19		✓		
CLANCY	20	✓			
CAMPBELL	21	✓			
MOYNIHAN, JR.	22	✓			
BLOM	23		✓		
SCHADEWALD	24		✓		
LUND	25	✓			
BECKER	26		✓		

Total Votes Cast

26

Motion:

Adopted

Defeated

Tabled

(4)

14c

No. 5 -- Final Budget Resolution Establishing the Brown County Budget for Calendar Year 2017 at Property Tax Levy \$86,661,972.00: County Executive refused to sign.

There were no changes in the 2017 Property Tax Levy \$86,661,972, therefore, no action was taken.

SEE ATTACHMENT TO NO.5 ON THE FOLLOWING PAGE

No. 6 -- Such other matters as authorized by law.

No. 6a -- From Supervisor Buckley: Bring forward a clear resolution addressing the use of sick time by retired employees. The resolution needs to address Brown County employees that are allowed to bank sick time and their ability, upon retirement, to move the sick time into a tax exempt Veba-type account to be used for insurance purposes.

Requested this be referred to a special meeting of the County Board at a date yet to be determined.

No. 6b -- From Supervisor Schadewald: County Code and Policy be examined relating to pay increases, health insurance, employee benefits and any other policies concerning employee compensation so that each is a separate resolution at budget time.

Referred to Administration and Executive Committees.

No. 7 -- Closing Roll Call.

Present: Sieber, De Wane, Hoyer, Lefebvre, Erickson, Zima, Evans, Vander Leest, Buckley, Landwehr, Dantine, Brusky, Ballard, Kaster, Van Dyck, Linssen, Kneiszel, Clancy, Campbell, Moynihan, Blom, Lund, Schadewald

Excused: Nicholson, Gruszynski, Becker

Total Present: 23 Total Excused: 3

No. 8 -- Adjournment.

A motion was made by Supervisor De Wane and seconded by Supervisor Sieber to adjourn to Wednesday, December 21, 2016 at 6:00pm, Legislative Room 203, 100 N Jefferson St, Green Bay, WI.

Meeting adjourned at: 8:20pm.

/s/ Sandra L. Juno

**Sandra L. Juno
Brown County Clerk**

ATTACHMENT TO ITEM #5

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies & Gentlemen:

RESOLUTION ESTABLISHING THE BROWN COUNTY BUDGET FOR CALENDAR YEAR 2017

BE IT RESOLVED, that the following sums of money be raised for the ensuing year:

School for Children with Disabilities	2,802,612
Health	2,064,114
County Aid Bridges (Section 82.08, Wis. Stats.)	141,000
Debt Service Fund	14,086,908
All Other County Taxes	<u>67,567,338</u>
PROPERTY TAX LEVY	86,661,972

BE IT FURTHER RESOLVED, that the County shall apportion the tax for the school for Children with Disabilities on all districts participating; and

BE IT FURTHER RESOLVED, that the County shall apportion the tax for the Health Department on all districts participating; and

BE IT FURTHER RESOLVED, that the County shall apportion the tax for bridges under Section 82.08, Wis. Stats., on the taxable property of the taxing districts participating; and

BE IT FURTHER RESOLVED, that the County shall enter in the Tax Apportionment, State Special Charges for Forestry Mill Tax, Section 70.58, Wis. Stats., in the amount of \$3,343,153 and

BE IT FURTHER RESOLVED, that the County shall enter in the Tax Apportionment the 20% Highway County Trunk Bridge assessments as authorized legal taxes against any district in the County, under Section 83.03 (2), Wis. Stats., and

BE IT FURTHER RESOLVED, that the budgeted appropriations for purposes of Section 65.90, Wis. Stats., are attached hereto as Exhibit A, and the detailed budget for purposes of Section 59.17 (5), Wis. Stats., is the document of which this is part; and

BE IT FURTHER RESOLVED, that the Director of Administration is authorized to make any technical corrections to the budget that are necessary.

Approved by:

TROY STRECKENBACH
BROWN COUNTY EXECUTIVE

Date Signed: _____

*11/10/16
Refuse to sign
R
Please see veto message*

*(5)
16*

EXECUTIVE STRECKENBACH'S VETO LETTER

EXECUTIVE

Brown County

305 E. WALNUT STREET
P.O. BOX 23800
GREEN BAY, WI 54305-3800



Troy Streckenbach

PHONE: (920) 448-4001 FAX: (920) 448-4003

BROWN COUNTY EXECUTIVE

November 10, 2016

Re: 2017 Budget Vetoes (3)

Dear Brown County Board of Supervisors:

I am vetoing "An Ordinance to Amend Section 4.57 of the Brown County Code of Ordinances entitled Policy" (11d) in its entirety (\$277,000). The County Board's proposed ordinance goes well beyond the federal overtime standards under the Fair Labor Standards Act.

I am also vetoing portions of "Resolution Approving New Or Changes to Existing Employee Benefits During The 2017 Budget Process" (14c). I am vetoing the pay increase that is in addition to the 1% pay increase, i.e. the additional \$400/2080 pay increase which accounts for \$686,900 in levy. The CPI for wages January 1, 2017 is .67% which is well below the 1% cost of living wage adjustment that will remain intact.

While I share the goal of ensuring fair compensation for our employees, we can't ignore that the Board's paying for the additional raise by increasing taxes on Brown County citizens. At a time when Social Security recipients are receiving a "wage increase" of \$5.00 per month and seeing their health insurance premiums increase by over 22%, and the United Way of Wisconsin's report shows working families struggling to make ends meet in our community – I don't think it is fair to ask taxpayers to fund a 2% across the board pay increase.

As to readjusting employees' wages that are below market, I am setting aside \$50,131 to start the process of adjusting employee wages to departments that have high turnover. This way we can methodically make adjustments to address retention issues.

The Sheriff's Supervisors Union contract will be brought to the County Board for approval in December. If approved, we will need to add \$58,653 in the 2017 budget to address the compounding effect for 2015 and 2016 wage increases. That, and the above mentioned \$50,131, is why I did not delete the full \$686,900.

In addition, I am vetoing the section of the resolution that required Human Resources to negotiate sick leave payout with the Sheriff's Union. We were informed that we won the case, and no further action is required. However, Human Resources will revisit this issue as it has tax consequences for all employees, not just Sheriff union employees.

These vetoes will protect taxpayers and freeze the property tax rate at \$4.54.

3, 4, 5

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Streckenbach', with a large, stylized initial 'T'.

Troy Streckenbach

Brown County Executive

3, 4, 5